

HOUSE BILL REPORT

HB 1734

As Reported by House Committee On:
State Government & Tribal Affairs

Title: An act relating to reorganizing campaign contribution and disclosure laws.

Brief Description: Recodifying campaign funding and disclosure laws.

Sponsors: Representatives Haigh, Chandler, McDermott, Hunt, Armstrong, Kretz and Ormsby.

Brief History:

Committee Activity:

State Government & Tribal Affairs: 2/13/07, 2/16/07 [DPS].

<p>Brief Summary of Substitute Bill</p> <ul style="list-style-type: none">• Reorganizes and recodifies Chapter 42.17 RCW.
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HOUSE COMMITTEE ON STATE GOVERNMENT & TRIBAL AFFAIRS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 9 members: Representatives Hunt, Chair; Appleton, Vice Chair; Chandler, Ranking Minority Member; Armstrong, Assistant Ranking Minority Member; Green, Kretz, McDermott, Miloscia and Ormsby.

Staff: Marsha Reilly (786-7135).

Background:

Initiative 276, passed by the voters in 1972, established disclosure of campaign finances, lobbyist activities, financial affairs of elective officers and candidates, and access to public records. That initiative also created the Public Disclosure Commission (PDC), a five-member, bi-partisan citizen commission, to enforce the provisions of the campaign finance disclosure law.

In 1992, the Fair Campaign Practices Act was enacted following passage of Initiative 134. That initiative imposed campaign contribution limits on elections for statewide and legislative office, further regulated independent expenditures, restricted the use of public funds for political purposes, and required public officials to report gifts received in excess of \$50.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The initiatives resulted in three distinct subject areas: (1) disclosure of campaign related activities; (2) disclosure of public records held by public entities; and (3) campaign contribution limits for certain elected offices. The PDC administers disclosure of campaign related activities and campaign contribution limits. The Attorney General has enforcement authority over disclosure of public records held by public entities. However, because of the placement of the statutes in code, responsibility for enforcement of the public records disclosure statutes was not clear.

In 2005, the Legislature enacted SHB 1133 resulting in recodification of the public records portion of the Public Disclosure Act into a new chapter, Chapter 42.56 RCW. Also in 2005, the staff of the House State Government Operations and Accountability Committee was directed to reorganize and update the remaining statutes in Chapter 42.17.

Summary of Substitute Bill:

Chapter 42.17 RCW is reorganized and language is clarified. Obsolete provisions relating to the information technology plan and electronic filing are removed. The provisions repealed in RCW 42.17.131, 42.17.362, 42.17.365, 42.17.375, 42.17.562, 42.17.620, and 42.17.647 have been included in other statutes. Statutes relating to the information technology plan are repealed; however, requirements pertaining to these provisions are duplicated in Chapter 43.105 RCW.

Substitute Bill Compared to Original Bill:

The substitute bill recodifies RCW 42.17.440 regarding statements and reports maintained by the Public Disclosure Commission are public records that was repealed in the original bill. It also repeals RCW 42.17.375 regarding reports that need to be filed with county elections officials as that section was incorporated into another statute.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date of Substitute Bill: The bill takes effect on July 1, 2008.

Staff Summary of Public Testimony:

(In support) The Public Disclosure Commission supports passage of the bill. The bill reorganizes Chapter 42.17 RCW in such a way as to make it more useful and easier to navigate for the general public and others who are not particularly familiar with the current law's arrangement. Chapter 42.17 was enacted in 1972 and has been amended numerous times, including the addition of Initiative 134 in 1992. Over the past 35 years, the chapter has become somewhat disjointed and challenging to explore. This revised version is clear, logically organized and cohesive.

(Opposed) None.

Persons Testifying: Vicki Rippie, Public Disclosure Commission.

Persons Signed In To Testify But Not Testifying: None.